



**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

APPLICANT: Rodney Bennett
SERIAL NO.: 09/788,113
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TITLE: System and Method for Automating the Assembly, Processing and Delivery of Documents
EXAMINER: Chongshan Chen
GROUP ART UNIT: 2172
ATTY. DKT. NO.: 21532-04870

**COMMISSIONER FOR PATENTS
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DECLARATION OF R. DAN RIBB

I, R. Dan Ribb, hereby declare the following:

1. I was employed by Real Consulting LLC on or before August 1997 to about October 1999. My title at Real Consulting LLC was software developer. Real Consulting has a place of business in Grass Valley, California and is the assignee of the above-identified application.
2. I attended the confidential internal developers conference that took place on February 19-22, 1999 (hereinafter "DevCon2"), at which time various developers and programmers disclosed their current projects. Such confidential internal meetings took place at various times during the year.
3. The attendees at DevCon2 included Kevin Steinke, Li Chen, and Ken Page, currently employees of Real Consulting LLC; myself, Rodney Bennett (hereinafter "Mr. Bennett"), Cookie Chan, and Richard Couch, employees of Real Consulting LLC at the time;

John Wells, a consultant for Real Consulting LLC; and J. Dale Debber, CEO of Real Consulting (hereinafter collectively referred to as "Attendees"). An e-mail dated February 15, 1999 (hereinafter "February e-mail") to all anticipated attendees of DevCon2 detailing topics to be discussed, including the NetTransport system, details the list of attendees. The February e-mail was retrieved from the Real Consulting LLC e-mail archives by Jerry Rufener. Jerry Rufener is contractor of Real Consulting LLC and bound by a confidentiality agreement. A copy of the February e-mail is attached hereto as EXHIBIT A.

4. On the date of DevCon2, February 19-22, 1999, Mr. Bennett, a software developer for Real Consulting LLC at the time, disclosed to me and the other Attendees, in full detail the NetTransport system and its functionality. This disclosure substantiated Mr. Bennett's conception for automating the assembly, processing, and delivery of documents.

5. To the best of my recollection and as nearly as possible in the language used by Rodney Bennett during DevCon2, the information disclosed regarding NetTransport, the claimed invention, included the following. Mr. Bennett's disclosure focused on solving two important issues regarding how another software application produces and delivers readable output and how projects under development are pushed to production environments consistently and with little human intervention. Li Chen, who developed the other software application, spoke of a need to fax documents initiated by the client computers located in the field and utilize a central faxing server located at the data source in Grass Valley. Mr. Bennett suggested using NetTransport, which runs as a 24x7 NT service [twenty-four hours per day, seven days per week, using Microsoft's 32-bit "NT" technology] and developing a COM DLL [Component Object Methodology – Dynamic Loading Library] that would monitor a database looking for faxing requests.

According to Mr. Bennett, once the request was discovered by the COM DLL, the library (DLL) would pass the request to a transport object, located in NetTransport, to a machine running yet another copy of NetTransport where the rendering of the request would actually take place. The reasoning for separate machines to read the request and render the output as explained by Mr. Bennett and discussed by the DevCon2 Attendees, was one of efficiency and CPU utilization. According to Mr. Bennett, this would prevent overloading the machine that serves the client computers in the field and utilize another machine dedicated to the task of rendering.

Per this disclosure at DevCon2, Li Chen, Mr. Bennett, and I discussed that we could accomplish many other tasks using this simple arrangement of NetTransport as the backbone and developer-supplied COM objects as the workers in the process. Further, per Mr. Bennett's disclosure of watching for a requests and then transporting the request to a machine that could perform the rendering of the request, the result was that Mr. Bennett had conceived of a way of not only faxing documents, but also of producing electronic documents, such as in a portable document format (PDF) from Adobe Systems of San Jose, CA, and emailing the results to end points.

It is my understanding and belief that the level of detail provided by Mr. Bennett was sufficient to enable me as one of skill in the art to recreate the NetTransport System.

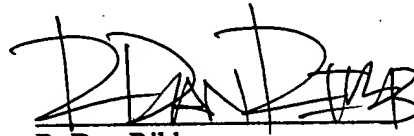
6. It is my understanding and belief that EXHIBIT B to the SUPPLEMENTAL DECLARATION OF RODNEY BENNETT, submitted on January 20, 2004, is a true and correct copy of the meeting minutes for and an accurate reflection of what transpired at the conference.

7. Accordingly, it is my understanding and belief that Mr. Bennett conceived the NetTransport system prior to the date of DevCon2, February 19-22, 1999.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date

9/15/2004


R. Dan Ribb

21532/04870/DOCS/1403822.4

EXHIBIT A

H:\199901\106\J_Dale_Debber\in\19990215174750375.AAA129@addw111
Return-Path: <jon@ridgecomm.com>
Received: from addw111 ([207.223.69.200]) by dccms5.earthmail.com
(Post.Office MTA v3.1.2 release (PO205-101c)
ID# 0-44629U5000L500S0) with SMTP id AAA129;
Mon, 15 Feb 1999 09:47:50 -0800

Reply-To: <jon@ridgecomm.com>
From: "jon wells" <jon@ridgecomm.com>
To: "_Dale Debber (E-mail)" <creator@content.com>,
"Dan Ribb (E-mail)" <dribb@earthmail.com>,
"Li Chen (E-mail)" <lichen@gte.net>,
"Rodney (E-mail)" <rbennett@earthmail.com>
Cc: "Dave J Ribb (E-mail)" <djribb@earthmail.com>,
"John Aurelius (E-mail)" <jareel@ix.netcom.com>,
"Ken Page Earthmail (E-mail)" <kpage@earthmail.com>,
"Kevin Steinke (E-mail)" <KSteinke@earthmail.com>,
"Rich Couch (E-mail)" <rich@rcit.com>,
"Zack Laferriere (E-mail)" <zack@earthmail.com>,
"cookie" <cchan@earthmail.com>

Subject: devcon2 submissions

Date: Mon, 15 Feb 1999 09:48:01 -0800

Message-ID: <000d01be590b\$54dfad90\$6f01650a@addw111.Sphincter.com>

MIME-Version: 1.0

Content-Type: text/plain;
charset="iso-8859-1"

Content-Transfer-Encoding: 8bit

X-Priority: 3 (Normal)

X-MSMail-Priority: Normal

X-Mailer: Microsoft Outlook 8.5, Build 4.71.2173.0

Importance: Normal

X-MimeOLE: Produced By Microsoft MimeOLE V4.72.2106.4

Hi,

Last Call for submissions to DevCon2.
everyone is pretty much looking to the same items.
Tomorrow I will come up with a draft on time & agenda item so we can get
an idea of structure and timing.

If you don't see it then make sure i know about it.

tanks

Jon Wells.....
here tis

Agenda Items for the 2nd Developers conference
DevCon2
2/18/99 à 2/22/99
Suggested Agenda Items::

Dan Ribb

Approved dev tools and versions/patches of those tools. - VERY HOT ITEM

MTS Security - how, why, when and who

SQL Mail

SQL 7.0

3 tier development - how, why, when

Rapids 32

Kevin Steinke

1. OTIS - Problem description is too minimal. We need to have and know the system (or flow) of how the anomaly tracks through otis. Who maintains the anomaly. I have no way of making any updates to the anomaly (except the description, but most of the time its already a maxed out description.)

2. Project Management - I'd like to see a pipeline (or scheduling) of items that I am going to be working on.

3. MTS - Transaction server. Are we implementing it? If so Can we get some background on how were using it.

4. Of course SQL 7 - Our savior!

5. Rapids Reports - Any new ones? Do they like what was given them so far?

Li Chen

I think we should upgrade to 7.0 prior to Rapids 32. This allows us to optimize the code for SQL 7.0. We don't want to optimize the code for 6.5 and then upgrade to 7.0 and change all the code again. There are two important 7.0 benefit:

1) varchar in 6.5 is limited to 256 byte and is 8K in 7.0. This allows us to store almost all memo field as varchar instead of text field with 7.0. It is much easier to work with a varchar field because we have to do pointer manipulation with a text field.

2) Sql 7.0 query optimizer can optimize embedded SQL statement in the middle-tier while 6.5 cannot. This will be important when we move to the three-tire architecture.

Rodney Bennett

1. Care and feeding of Microsoft Transaction Server

2. NetTransport i.e. Fax, Mail and Print services, how it works and where its located

3. SQL 7.0 when and where as it relates to Contelligence

Jon Wells

1. Rapids32

2. SQL 7.n0

3. Tools & progress since the Fall Developers conference.

4. Newsopoly Architecture.

5. Grins & Groans from the CEO.

6. Project summaries for Compline, Rapids, Contelligence, Newsopoly, 'OTIS"

7. Our Six month event horizon.....

8. Colo

9. New Applications tools operational paradigm review.

How do we quickly & Succinctly determine, VB from SQL from transvr from network from rodneys email from faxsvr. Need a set of web pages to debug

the app runtime and quick ways to determine fix.
10. SCIF Broker Tables moving into rapids.

Dale Debber

1. Rapids32
2. SQL 7.n0.
3. Otis
4. Fresno Office
5. Project Status / Rapids, Compline, Contelligence, Tools, ScifBkr/WCIS, NewBiz.
6. Timekeeper issues
7. VPN issues
8. DEV / QA / Prod Sync & Otis link.
9. Three tiered development.. cost / enviornment / Rapid App Design.

No Submittals so far

Cookie Chan
John Aurelius
Zack
David J Ribb
Richard Couch
Ken Page

21532/04870/DOCS/1403821.1

EXHIBIT B

DEVCON 2

Friday 2/19/99 – Monday 2/22/99

Friday, 2/19/99

Overview of company activities, business (Dale Debber)

TimeKeeper - (Dale Debber)

Kevin will be developing enhanced reporting capabilities

Very important to break out hours to proper categories because of client billing

Be as descriptive as possible

To be linked to OTIS

Project Definitions – (Jon Wells)

Rapids

How SCIF tracks status of policies

TopCat for territorial clearances

PreApp tracks routing of policies

NewBiz transfer database

Brokers

Mailings

(is 16-bit now, roll-out to all districts to become 32-bit)

Compline

Provides Xmods to brokers who write W/C

Contelligence

The "Compline" for licensed contractors in CA

SCIF has requested this

Will integrate with other products

Newsopoly

Allows publishers to put up ecommerce/pay-per-view

Mass distribution of content

OTIS

Now used to track anomalies

Task management
A new class of business management software

Verify
Checks SS #s for deaths, validity

Management Issues (Dale)
Visual Source Safe to include specs for all projects
Issue of SQL area/source discussed

! AI Dan will develop spec for document standard
3rd party DLLs
Build/install process and material list

Colocation in San Jose (8x8 cage); also in DC

Fresno Office
Operational Tue or Wed 2/23, 2/24
Jon will be present for Pac Bell

New Personnel
Forest Cox, Cookie Chan, John Aurelius, Sharon O'Donohough

Developer responsible for each tool used (Dale Debber)
Version current
Will be on email list for updates from vendor
"Center of excellence" for that tool
Inventory of tools needed
It is OK to use non-MS products
Focus on saving time

Server Issues (Jon Wells)
New permissions will be in effect
How much will server/domain name affect app?
Standard server configuration and app build procedure

Intellectual Properties
Patents/copyrights to be documented
"First to conceive" concept is important

! AI 800 number dial-in line needed

No compelling reason to go to JAVA

Tool standardization (Dan Ribb)
Problem is different versions of app tools, different DLLs on server

! AI Identify levels of SW for each product (service pack version)

Discussion of Dev PCs

No beta versions

3rd party SW to be reviewed before use

Compile on clean "Buildmaster PC" from SourceSafe to QA

! AI Investigate SW that keeps inventory of DLLs

! AI Li Chen will get Visual SourceSafe versioning procedure right
Standard tools on Dev PCs - VS 6.0, SP2 is now the standard
Clean "Build PC" (Rodney has had experience with county)

! AI We are moving to SQL 7.
So far, Li's testing OK; needs more testing and implementation

! AI Dan is to receive all 3rd party tools by Friday 2/26/99

! AI Rodney will get "language" of SCIF project special modules to Dale for SCIF ownership

! AI Dan will investigate shared directories in Visual SourceSafe.

! AI Each "POD" manager will look into variable naming standard

Books recommended by Li Chen

"Inside Comm" by Dale Rogerson

"Distributed Components with VB" by Pattison

Hijaak or other "BMP to JPG/GIF" converter for Don Butler

Saturday, 2/20/99

Compline (Dan Ribb)

Over half the feature set included in last year's release

MS Exchange has had network problems

Driven by ASP and stored procedures

Browser independent

RiskList queries can take time (5 minutes or more); maybe execute like

ModWatch

Wait until SQL 7.0 to review RiskList procedures
ModWatch email notification feature
Log file of user activity on Dev
User traffic very important since future sites will be advertising-based
WebTrends SW can produce most reports
Login is machine-specific and will move to prod

! AI Testing on security issues on next push
Push button for "CompNews.htm" so Dale can put news content on Compline screen

! AI Admin features ready to push (with Muni edit)
Close to automatic update push

! AI 1:30 pm Friday 2/26/99 deadline for update, or email storm!

! AI Every tape must have file comparison done
Dan will compile all loose specs on this subject, Type-5 issues
Separate method to process Type-5's

! AI Service bureau (MCRB) to read old tapes per Jon's specs

Verify (Rodney)

Have all components, uses same security as Compline
There has been some activity
Banner rotation
Web Trends logs have been kept

Contelligence (Rodney)

Data model, specs done, peer review
Billable to SCIF
Need for common procedures and definitions (Enterprise object)
Revenue to be by usage

! AI Rodney to get MS spec for database compliance

Three-Tier Object Model

VB Abstracts send to common delegate, then to UDM that talks to Server

Issues:

Points of failure
Updates

New layer
Code re-use

Rapids 32 (Li Chen)

16 bit VB 4 talking to SQL server

Business rules on VB side or in Stored Procedures
TCP/IP protocol, using 1433 port
PreApp runs inside browser, using http, talking to IIS server

32-Bit version:

Communicates with Business Object
BO talks to SQL server
3-Tier allows better code
RDS (Remote Data Service), DCOM are new MS products
more closely tied to Windows security features
IIS4 and RDS Proxy used
RapidsRDFDataFactory allows security
We know there's a problem before the client knows

The ugly side:

- (1) Terms letter preview (MS Word, vs previewer)
- (2) Crystal Reports is banned

NetTransport (Rodney)

NT service that generates and transports the document as RTF (rich text format)

May be used to:

- Replace SQL mail and its problems
- Be a fax solution

! AI When to implement for SCIF

WCIS/Broker Database (SCIF)

Oracle-based for outside broker business generation/commissions
Multiple entry into numerous databases (Access, Rapids, etc.)
Proposed new database will be central point for all users

Sunday, 2/21/99

Network/server issues (Jon Wells)

Single-tiered firewall:
Multiple IIS servers
SQL server must reside behind the firewall

Newsopoly (John Aurelius)

3 Areas:

Reader
User (publisher)
SysAdmin & support

Internet Search Engine issues need research, clarification and testing

SQL 7 will likely resolve many issues

! AI John Aurelius will find an internet search engine consultant

Dale points out that hardware costs are likely to be small compared to the revenue generated from thousands of Newsopoly publishers.

Third-party Credit Card/Search Engine/Forum software will be considered.

Overwrites of images should not be allowed; customer service handle it.

MTS Security (Dan Ribb)

! AI Will formalize business object sharing/documentation
Try to avoid duplication of effort...POD managers to communicate
John A. to get ALAIR forums running

! AI Li Chen to install Visual Component Manager and related components

UML (programmer documentation language)

! AI Dan to create documentation standards for documentation for SCIF.

! AI Within a few days of push to PROD, "how-to's" must be pushed. (Quick Courses)

! AI Get Lads to create Quick Courses for Rapids

! AI Need Index Server issues on OTIS!

SQL 7.0 implementation plan:
Reindexing will be time-consuming

Backup needs testing
Jon W. will coordinate

Y2K Issues (Rich Couch)

Three dates with impact: 9/9/99, 1/1/2000, 4/1/2000

! AI Ken to coordinate with John Aurelius on mm/dd/ccyy format

Assignments for Dev Tools: (Affectionado)

VB - Li Chen

Crystal Reports - New review by Dan

InstallShield - Rich Couch

Truegrid Pro - Li

Spyworks - Li

Crescent QuickPack Pro 4 upgrade - Li (share with John Aurelius)

VB SourceBook - (to buy) Li

Cold Fusion (by Alair) - John Aurelius

O'Reilly Web Board - to be evaluated by John Aurelius

Suggestions:

Status of servers (Rich Couch)

Working at home - Laptops may eventually help solve this

! AI Ken to begin using OTIS to track projects

MS Project Manager discussed and it was determined that overhead involved with implementing would be too great.

Network shutdowns are usually very brief.

Certification:

Li needs to inform of everyone's current status

All developers are "encouraged" to be certified

! AI Dale to appoint Project Managers & PM's to schedule meetings

! AI Jon W. to buy Resource Kit (if any) for SQL 7

Monday, 2/22/99

Personnel Priorities:

Organizational Chart to be done soon.

Jukebox pros & cons

Alternatives -

DVD

Old PCs with multiple CDs

Contents on large network hard drive

! AI Li Chen will inform us on how to logon with MS Solution Provider

Dan Ribb suggested having some alternative database/unix servers to test.

Discussion on need for middle-tier non-MS databases. Dale does not want developer resources invested in non-MS database compatibility. If they work incidentally, great!

Conclusion: On internal projects (Rapids, Compline, Verify, Contelligence) consideration to optimize MS SQL 7 capabilities. OTIS and Newsopoly should be written with Level 2 compatibility in mind. Stay with 3-tier for its other benefits.

NT 5.0 Considerations: (jw)

Suggest putting up an NT 5.0 server for testing

Likely to need to upgrade in 1 to 2 years

Proposed Devcon 3

Thursday 5/20 or 6/3; possibly Monterey area.

SQL 7 Task Team:

Licensing more of an issue (per seat) with SQL 7.0

! AI Li will check with MS on licensing and what we get as solution providers

! AI Jon will establish timetable for SQL 7 switchover (Prod, SCIF, Compline)